

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this Amendment, claims 1, 9-11, 23 and 25-29 will be amended, claims 3, 24, 30 and 38-41 will be canceled and claims 42-46 will be added, leaving claims 1, 2, 4-23, 25-29, 31-37 and 42-46 pending with claims 1, 7, 20, 23, 25, 26, 27, 28, 29, 35 and 42 being independent.

Applicant appreciates the allowance of claims 7-22 and 35-37 and the indication that claims 3, 24-28, 30 and 32 contain allowable subject matter.

As discussed below, upon entry of this amendment, each independent claim will include subject matter indicated allowable.

Objections to Claims

Claims 9-11 are objected to because the Examiner believes that the word "have" in line 3 of each of these claims should be replaced by -having-.

To avoid this objection, this amendment as been made to claims 9-11. Additionally, Applicant amended claims 25-27 in the same manner to avoid any future objections.

Claim Rejections Under 35 U.S.C. §112, second paragraph

Claims 5 and 28 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Examiner stated that "said plurality of blanks" in claim 5 and "the surface of the cornea" in claim 28, each lack antecedent basis.

As noted above, in the Listing of Claims, claims 5 and 28 have been amended to overcome these rejections. Therefore, Applicant submits that independent claim 28 is allowable.

Rejections for Double Patenting

Claims 1 and 5, 23 and 38 and 40 have been rejected under the judicially created doctrine of obviousness type double patenting over U.S. Patents 6,702, 807; 5,919,185; and 6,197,019, respectively.

In response, Applicant has amended independent claim 1 to include the subject matter indicated allowable in dependent claim 3, amended independent claim 23 to include the subject matter indicated allowable in independent claim 24, and canceled claims 38 and 40.

Since independent claim 1 includes the allowable subject matter of dependent claim 3, Applicant submits that amended independent claim 1 and its dependent claims (including dependent claim 5) are allowable. Additionally, since independent claim 23 includes the allowable subject matter of dependent claim 24, Applicant submits that claim 23 is allowable.

Rejections Under 35 U.S.C. §102(b)

Claims 1, 2, 4, 6, 29, 31, 33, 34, 38, 39 and 41 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,824,086 to Silvestrini.

As noted in the Listing of Claims and above Remarks, independent claim 1 has been amended to include the subject matter of allowable dependent claim 3 and independent 29 has been amended to include the subject indicated allowable in dependent claim 30.

Therefore, Applicant submits that independent claims 1 and 29 and their respective dependent claims 2, 4-6 and 31-37 are allowable.

Additionally, as noted above, claims 38, 39 and 41 have been canceled.

Independent claims 25-27

Independent claims 25-27 are previous dependent claims 25-27 rewritten in independent form. Each dependent claim was indicated as having allowable subject matter. Therefore, Applicant submits that independent claims 25-27 are allowable.

New claims 42-46

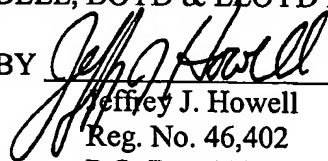
Independent claim 42 is dependent claim 32 rewritten into independent form, including its base claim. Since dependent claim 32 was indicated as allowable, Applicant submits that independent claim 42 and its dependent claims 43-46 are allowable.

In view of the above amendments and remarks, it is believed that the subject application is in condition for allowance and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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